

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

STEVE MACRINA, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

J. ROGER MOYER, JR., THOMAS  
DAUTRICH, GEORGE W. GRANER,  
EQUIPMENT FINANCE, LLC, and BANK  
OF LANCASTER, N.A.,

Defendants.

No. 07 Civ. 4108 (JGK)

BRIAN JOHNSON, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

STERLING FINANCIAL CORP., J. ROGER  
MOYER, JR., J. BRADLEY SCOVILL, and  
TITO L. LIMA,

Defendants.

No. 07 Civ. 4652 (JGK)

CASTLE STRATEGIC TRADING, LLC,  
Individually and On Behalf of All Others  
Similarly Situated,

Plaintiff,

v.

J. ROGER MOYER, JR., THOMAS  
DAUTRICH, GEORGE W. GRANER,  
EQUIPMENT FINANCE, LLC, and BANK  
OF LANCASTER, N.A.,

Defendants.

No. 07 Civ. 5594 (JGK)

JEFFREY M. COOLEY, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

STERLING FINANCIAL CORP., J. ROGER  
MOYER, JR., J. BRADLEY SCOVILL, and  
TITO L. LIMA,

Defendants.

No. 07 Civ. 5694 (JGK)

**MOTION OF KENNETH A. SMITH FOR APPOINTMENT AS LEAD PLAINTIFF,  
APPOINTMENT OF LEAD COUNSEL, AND CONSOLIDATION OF  
RELATED ACTIONS**

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE THAT Kenneth A. Smith (“Movant”) respectfully moves this Court, pursuant to Section 21D(a)(3)(B) of the Securities and Exchange Act of 1934 (the “Exchange Act”), as amended by the Private Securities Litigation Reform Act of 1995 (the “PSLRA”), 15 U.S.C. § 78u-4(a)(3)(B), for entry of an Order: (i) appointing Movant as Lead Plaintiff on behalf of himself and all others similarly situated who, between April 27, 2004 and May 25, 2007, inclusive (the “Class Period”), purchased or otherwise acquired securities of Sterling Financial Corp. and incurred damages as a result of the Defendants’ violations of the federal securities laws; (ii) appointing the law firm of Cohen, Milstein, Hausfeld & Toll, P.L.L.C. (“Cohen Milstein”) to serve as Lead Counsel; and (iii) consolidating all related actions herewith under Rule 42(a) of the Federal Rules of Civil Procedure.

This motion is supported by the accompanying Memorandum of Law, the Declaration of Catherine A. Torell and the exhibits annexed thereto, all of the prior pleadings and proceedings herein, and such other written or oral argument as may be permitted by the Court.

WHEREFORE, Movant respectfully requests that the Court: (1) appoint Movant as Lead Plaintiff pursuant to Section 21D(a)(3)(B) of the Exchange Act; (2) appoint Cohen Milstein as Lead Counsel for the class; (3) consolidate all pending related actions; and (4) grant such other and further relief as the Court may deem just and proper.

Dated: July 24, 2007

Respectfully submitted,

COHEN, MILSTEIN, HAUSFELD  
& TOLL, P.L.L.C.

/s/ Catherine A. Torell  
Catherine A. Torell (CT-0905)  
150 East 52<sup>nd</sup> Street, Thirtieth Floor  
New York, New York 10022  
Telephone: (212) 838-7797  
Facsimile: (212) 838-7745

- and -

Steven J. Toll  
Daniel S. Sommers  
S. Douglas Bunch  
1100 New York Avenue, N.W.  
West Tower, Suite 500  
Washington, DC 20005-3964  
Telephone: (202) 408-4600  
Facsimile: (202) 408-4699

***Attorneys for Kenneth A. Smith and  
Proposed Lead Counsel for the Class***